

Message

From: Burgess, Karen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9085A27E8D724564890F33D47C72D9D1-BURGESS, KAREN]
Sent: 10/16/2018 5:59:36 PM
To: BOHABOY Spencer [Spencer.BOHABOY@state.or.us]
Subject: RE: Columbia R policy r_2 for Karen.docx

Yeah, I still think it makes more sense to handle CWS as a MDV or waterbody variance. I can't see where it would be more work than 4 individual, especially when the permits are lumped together and when CWS controls all the PS discharges to the waterbody.

From: BOHABOY Spencer [mailto:Spencer.BOHABOY@state.or.us]
Sent: Tuesday, October 16, 2018 10:47 AM
To: Burgess, Karen <Burgess.Karen@epa.gov>
Subject: RE: Columbia R policy r_2 for Karen.docx

Thanks Karen,

Multitasking I see.

Cheers,

Spencer

From: Burgess, Karen <Burgess.Karen@epa.gov>
Sent: Tuesday, October 16, 2018 10:37 AM
To: BOHABOY Spencer <Spencer.BOHABOY@state.or.us>
Cc: FELDMAN David <David.FELDMAN@state.or.us>; NAVARRO Jeffrey <Jeffrey.NAVARRO@state.or.us>
Subject: RE: Columbia R policy r_2 for Karen.docx

Spencer, I've attached a couple previous emails where we discussed authorizing MZs for pH upon consideration of the listing status including your previous draft memo/policy, which included a lot more details and proposed monitoring requirements. In general, I don't have a problem with permit writers authorizing mixing zones where they have clearly demonstrated there is assimilative capacity and that the authorization of the mixing zone is consistent with the approved mixing zone provision in the WQSs. I think such a demonstration is best done on a permit-by-permit basis rather than a broad policy. In the end, the details, data and demonstration provided in the permit/fact sheet are most important.

Just wonder if the 303(d) memo was public notice/finalized and whether it would serve as guidance in the case of pH as well. (Refer to my comments in the attached email.)

Please clarify DEQ's thinking on policy/guidance related to 303(d) listing and mixing zone authorization. The authorization of the a mixing zone (in accordance with DEQ's WQS) must ensure that standards are not violated outside the mixing zone. Permit writer's need to focus the analysis and discussion on assimilative capacity to ensure a facility is not contributing to violations of WQS outside any authorized MZ.

KAREN BURGESS, P.E.
State Oversight Lead
NPDES Permits Unit - EPA Region 10

206-553-1644 | Burgess.Karen@epa.gov

From: BOHABOY Spencer [<mailto:Spencer.BOHABOY@state.or.us>]

Sent: Monday, October 15, 2018 2:02 PM

To: Burgess, Karen <Burgess.Karen@epa.gov>

Cc: FELDMAN David <David.FELDMAN@state.or.us>; NAVARRO Jeffrey <Jeffrey.NAVARRO@state.or.us>; BOHABOY Spencer <Spencer.BOHABOY@state.or.us>

Subject: Columbia R policy r_2 for Karen.docx

Hello Karen,

Per our telephone conversation, attached is the draft memo I have been working on that provides instruction to DEQ staff regarding assignment of mixing zones in waters listed for pH. Although I am not asking for a formal EPA review of this document, I would like your take on whether it would pose any serious issues if a permit developed using the guidance were evaluated by Region X. Accordingly, any suggestions or edits to clarify or strengthen the draft would be appreciated.

I am working on finalizing a permit that depends on this policy, so your timely feedback would be greatly appreciated.

Thank you,

Spencer Bohaboy